

17. Exercise the authority delegated to the Secretary of Defense by the Administrator of General Services on the disposal of surplus personal property.

18. Enter into and administer contracts, directly or through a Military Department, a DoD contract administration services component, or other Federal Agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the DISA. To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority shall be exercised by the appropriate Under Secretary or Assistant Secretary of Defense.

19. Award contracts for the lease of commercial C3 capabilities as delegated in DoD Directive 5134.1.⁹ “Under Secretary of Defense (Acquisition),” August 8, 1989.

20. Lease property under the control of the DISA under terms that will promote the national defense or that will be in the public interest, pursuant to 10 U.S.C. 2667.

The ASD(C3I) may redelegate these authorities, as appropriate, and in writing, except as otherwise provided by law or regulation.

These delegations of authority are effective June 25, 1991.

PART 367—ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS

Sec.

367.1 Purpose.

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AUTHORITY: 10 U.S.C. 113 and 138.

SOURCE: 59 FR 29952, June 10, 1994, unless otherwise noted.

§ 367.1 Purpose.

Pursuant to the authority vested in the Secretary of Defense by 10 U.S.C. 113 and 138, this part updates the responsibilities, functions, relationships, and authorities of the ASD(HA), as prescribed herein.

§ 367.2 Applicability.

This part applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Office of the In-

spector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as “the DoD Components”).

§ 367.3 Responsibilities and functions.

The Assistant Secretary of Defense for Health Affairs, as the principal staff assistant and advisor to the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) and the Secretary and Deputy Secretary of Defense for all DoD health policies, programs, and activities, shall effectively execute the Department’s medical mission, which is to provide, and to maintain readiness to provide, medical services and support to members of the Armed Forces during military operations, and to provide medical services and support to members of the Armed Forces, their dependents, and others entitled to DoD medical care.

(a) In carrying out these responsibilities, the ASD(HA) shall exercise authority, direction, and control over the medical personnel, facilities, programs, funding, and other resources within the Department of Defense, including, but not limited to:

(1) Establishing policies, procedures, and standards that shall govern DoD medical programs.

(2) Serving as program manager for all DoD health and medical resources. Preparing and submitting in the Department’s planning, programming, and budgeting system (PPBS) a unified medical program and budget to provide resources for all medical activities within the Department of Defense. Consistent with applicable law, all funding for the DoD medical program, including operation and maintenance, procurement, and the Civilian Health and Medical Program of the Uniformed Services, but excluding funds for active and reserve medical military personnel, shall be accounted for in a single defense medical appropriations account. Funds for medical facility military construction shall be in a separate, single appropriations account.

(3) Presenting and justifying the unified medical program and budget throughout the PPBS process, including representations before the Congress.

⁹See footnote 1 to section 3 of this appendix.

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(4) Co-chairing with the Director, Defense Research and Engineering, the Armed Services Biomedical Research Evaluation and Management Committee, which facilitates consideration of DoD biomedical research.

(5) Performing such other functions as the USD(P&R) and the Secretary of Defense may prescribe.

(b) The ASD(HA) may not direct a change in the structure of the chain of command within a Military Department with respect to medical personnel and may not direct a change in the structure of the chain of command with respect to medical personnel assigned to that command.

§ 367.4 Relationships.

(a) In the performance of assigned responsibilities and functions, the ASD(HA) shall serve under the authority, direction, and control of the USD(P&R) and shall:

(1) Report directly to the USD(P&R).

(2) Exercise authority, direction, and control over:

(i) The Director, Office of Civilian Health and Medical Program of the Uniformed Services.

(ii) The Director, Defense Medical Programs Activity.

(iii) The Director, Armed Forces Institute of Pathology.

(iv) The President, Uniformed Services University of the Health Sciences (USUHS), pursuant to the authority vested in the Secretary of Defense by 10 U.S.C. chapter 104, except that the authority to appoint the President of the USUHS is reserved to the Secretary of Defense.

(v) Such other subordinate officials as may be assigned.

(3) Consult, as appropriate, with the Comptroller of the Department of Defense (C, DoD) and the Director, Program Analysis and Evaluation, to ensure that medical planning, programming, and budgeting activities are integrated with the DoD PPBS. The C, DoD, shall allocate and reallocate the funds in the Defense Health Program account and the medical facility military construction account among the DoD Components in accordance with ASD(HA) instructions, as coordinated with the USD(P&R), and applicable law.

(4) Obtain through the Chairman of the Joint Chiefs of Staff, submissions of the operational and other needs of the Commanders of the Unified Combatant Commands, and obtain submissions from the Secretaries of the Military Departments of their proposed elements of the medical unified program and budget, and integrate those submissions as appropriate.

(5) Coordinate and exchange information with other OSD officials and the Heads of DoD Components having collateral or related functions.

(6) Use existing facilities and services of the Department of Defense and other Federal and non-Federal Agencies, whenever practicable, to achieve maximum efficiency and economy.

(b) Other OSD officials and the Heads of the DoD Components shall coordinate with the ASD(HA) on all matters related to the responsibilities and functions in § 367.3.

§ 367.5 Authorities.

The ASD(HA) is hereby delegated authority to:

(a) Issue DoD Instructions, DoD publications, and one-time directive-type memoranda, consistent with DoD 5025.1-M¹, that implement policy approved by the Secretary of Defense in assigned fields of responsibility. Instructions to the Military Departments shall be issued through the Secretaries of those Departments. Instructions to Unified Combatant Commands shall be communicated through the Chairman of the Joint Chiefs of Staff.

(b) Obtain reports, information, advice, and assistance, consistent with DoD Directive 8910.1² as necessary to carry out assigned functions.

(c) Communicate directly with the Heads of the DoD Components. Communications to the Commanders of the Unified Combatant Commands shall be coordinated through the Chairman of the Joint Chiefs of Staff.

(d) Make determinations on the uniform implementation of laws on separation from the Military Departments

¹Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

²See footnote 1 to § 367.5(a).